

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSHUA JAMES COOLEY,

Defendant.

CR 16-42-BLG-SPW

ORDER

Upon the United States Supreme Court's reversal of this Court's ruling on Defendant Joshua James Cooley's Motion to Suppress (Doc. 33), the matter is now remanded back to this Court to decide the following question: "If—as the Supreme Court held—the tribal officer otherwise possessed the relevant authority, 'whether the officer had probable cause for a search or arrest, or reasonable suspicion for an investigatory detention.'" (Doc. 101 at 1) (quoting *United States v. Cooley*, 919 F.3d 1135, 1145 (9th Cir. 2019)).

As such, the Court requests further briefing on the matter.

IT IS HEREBY ORDERED that the Defendant shall submit his opening brief no later than twenty-one (21) days from the date of this order.

IT IS FURTHER ORDERED that the United States shall submit a response to the Defendant's brief within fourteen (14) days of the Defendant's submission.

Should the Defendant wish to file one, a reply brief must be filed within fourteen (14) days of the United States' submission.

The Clerk of Court is directed to notify counsel of the making of this Order.

DATED this 15th day of July, 2021.


SUSAN P. WATTERS
United States District Judge